

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE REGARDING
THE RIPARIAN BUFFER SETBACK AND DEFINITIONS ASSOCIATED WITH “LOT OF RECORD”
(TC1500004)**

WHEREAS, the Durham City Council wishes to amend certain provisions in the *Unified Development Ordinance* (UDO) regarding the setback for riparian buffers and definitions associated with “lot of record”; and

WHEREAS, it is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that Article 8, Environmental Protection; and Article 16, Definitions, of the *Unified Development Ordinance* are amended to make the following changes set forth in the strikethroughs and underlining below:

PART 1

Sec. 8.5 Riparian Buffer Protection Standards

[Paragraphs not listed remain unchanged]

8.5.10 Uses

- C. Buildings and other features that require grading and construction shall be set back at least ten feet from the edge of the riparian buffer. When an encroachment into a riparian buffer is permitted either by right, through required authorization, or from approval of a variance, grading and construction necessary for that encroachment shall be allowed within the setback.

Sec. 16.3 Defined Terms

[Definitions not listed remain unchanged]

~~Lot: A parcel of land to be used, developed, or built upon.~~

Lot of Record: Also called “lot” or “parcel”, A parcel of land described by metes and bounds, or otherwise delineated by property boundary dimensions, on a plat recorded in the office of the appropriate Register of Deeds ~~of Durham County.~~

Parcel: See “lot of record”.

PART 2

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes and clarifications.

PART 3

That this amendment of the Unified Development Ordinance shall become effective upon adoption.